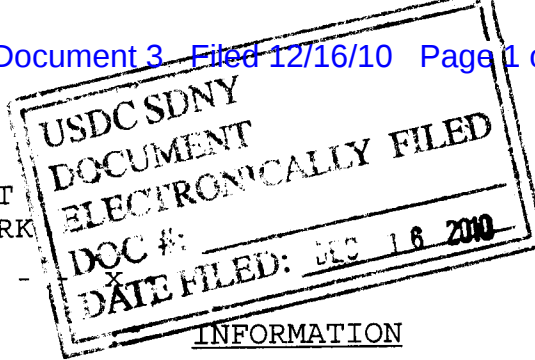


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

INFORMATION

-v.-

: 10 Cr.

MELISSA MATOS,

:

**10 CRIM 1258**

Defendant.

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- - - - - x

COUNT ONE

(Conspiracy To Commit Bank Fraud)

The United States Attorney charges:

1. In or about July and August 2008, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Section 1344 of Title 18, United States Code.

2. It was a part and an object of the conspiracy that MELISSA MATOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly would and did execute and attempt to execute a scheme and artifice to defraud a financial institution, the deposits of which were insured by the Federal Deposit Insurance Corporation, to wit Citibank, N.A. ("Citibank"), and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody

and control of, such financial institution, by means of false and fraudulent pretenses, representations, and promises.

**OVERT ACTS**

3. In furtherance of the conspiracy and to effect the illegal object thereof, MELISSA MATOS, the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In August 2008, at a Citibank branch at which MATOS worked in Manhattan, New York, MATOS forged the name of a deceased Citibank account holder and thereby, without authority, caused an official Citibank check to be issued in the amount of \$100,000.

b. In August 2008, MATOS hand delivered the official Citibank check to a co-conspirator not named herein ("CC-1").

c. In August 2008, CC-1 gave MATOS \$10,000 in cash.

(Title 18, United States Code, Section 1349.)

**COUNT TWO**

(Bank Fraud)

The United States Attorney further charges:

4. In or about August 2008, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, and another not named herein (CC-1), unlawfully, willfully, and

knowingly, did execute, and attempt to execute, a scheme and artifice to defraud a financial institution, the deposits of which were then insured by the Federal Deposit Insurance Corporation, to wit, Citibank, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, MATOS forged a signature on documents and submitted such documents to Citibank, and thereby caused funds to be withdrawn from a Citibank account and an official Citibank check to be issued without the authority of the account holder.

(Title 18, United States Code, Sections 1344.)

**COUNT THREE**

(Conspiracy to Commit Money Laundering)

The United States Attorney further charges:

5. In or about August 2008, up to and including in or about March 2009, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Section 1956(a)(1)(B)(i) of Title 18, United States Code.

6. It was a part and an object of the conspiracy that MELISSA MATOS, the defendant, and others known and unknown, knowing that the property involved in a financial transaction

represented the proceeds of some form of unlawful activity, would and did conduct and attempt to conduct such a financial transaction which in fact involved the proceeds of specific unlawful activity, knowing that the transaction was designed in whole and in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity.

**OVERT ACTS**

7. In furtherance of the conspiracy and to effect the illegal object thereof, MELISSA MATOS, the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. In or about August 2008, MATOS and CC-1 caused \$40,000 in bank fraud proceeds to be deposited into an account maintained by a co-conspirator not named herein ("CC-2").

b. In or about August 2008, MATOS and CC-2 opened a bank account and transferred \$35,000 in bank fraud proceeds to that account.

(Title 18, United States Code, Section 1956(h).)

**COUNT FOUR**

(Money Laundering)

The United States Attorney further charges:

8. From in or about August 2008, up to and including in or about March 2009, in the Southern District of New York and

elsewhere, MELISSA MATOS, the defendant, knowing that the property involved in financial transactions represented the proceeds of some form of unlawful activity, did conduct and attempt to conduct such financial transactions, which in fact involved the proceeds of specified unlawful activity, to wit, bank fraud, knowing that the transactions were designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of specified unlawful activity.

(Title 18, United States Code, Section 1956(a)(1)(B)(i).)

**COUNT FIVE**

(Conspiracy to Commit Aggravated Identity Theft)

The United States Attorney further charges:

9. In or about August 2008, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 1028A.

10. It was a part and an object of the conspiracy that MELISSA MATOS, the defendant, and others known and unknown, unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c).

Overt Act

11. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York and elsewhere.

a. In or about August 2008, at a Citibank branch at which MATOS worked in Manhattan, New York, MATOS forged the name of a deceased Citibank account holder.

(Title 18, United States Code, Section 371.)

COUNT SIX

(Aggravated Identity Theft)

The United States Attorney further charges:

12. In or about August 2008, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, and another not named herein (CC-1), unlawfully, willfully, and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit MATOS used the name and account number of a deceased Citibank account holder during and in relation to the commission of the bank fraud conspiracy and bank fraud charged in Counts One and Two of this Information.

(Title 18, United States Code, Section 1028A.)

COUNT SEVEN

(Theft of Money of the United States)

The United States Attorney further charges:

13. From at least in or about October 2007, up to and including in or about April 2010, in the Southern District of New York and elsewhere, MELISSA MATOS, the defendant, unlawfully, willfully and knowingly, did embezzle, steal, purloin, and convert to her use and the use of another vouchers, money and things of value of the United States and a department and an agency thereof, the value of which exceeded \$1,000, and MATOS did receive, conceal, and retain the same with intent to convert it to her use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, MATOS lived in an apartment for which the rent was subsidized by the United States Department of Housing and Urban Development ("HUD") and did not disclose that she lived in such apartment and thereby obtained federal housing subsidies from HUD to which she was not entitled.

(Title 18, United States Code, Section 641.)

**FORFEITURE ALLEGATIONS AS TO COUNT ONE AND COUNT TWO**

14. As a result of committing one or more of the conspiracy to commit bank fraud offense and the bank fraud offense charged in Count One and Count Two of this Information, in violation of Title 18, United States Code, Sections 1349 and 1344, MELISSA MATOS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of one or more of the offenses charged in Count One and Count Two of this Information, including but not limited to \$100,000 in United States currency.

**Substitute Asset Provision**

15. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value;  
or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.



§ 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of MELISSA MATOS, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982; Title 21 United States Code, Section 853; Title 28, United States Code, Section 2461)

**FORFEITURE ALLEGATIONS AS TO COUNT THREE AND COUNT FOUR**

16. As a result of committing one or more of the conspiracy to commit money laundering and money laundering offenses charged in Count Three and Count Four of this Information, in violation of Title 18, United States Code, Section 1956, MELISSA MATOS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), any property, real and personal, involved in such offenses, and any property traceable to such property, including but not limited to \$100,000 in United States currency.

**Substitute Asset Provision**

17. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value;  
or

- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of MELISSA MATOS, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982; Title 21 United States Code, Section 853; Title 28, United States Code, Section 2461)

**FORFEITURE ALLEGATIONS AS TO COUNT FIVE AND COUNT SIX**

18. As a result of committing one or more of the conspiracy to commit aggravated identity theft and aggravated identity theft offenses charged in Count Five and Count Six of this Information, in violation of Title 18, United States Code, Sections 371 and 1028A, MELISSA MATOS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of one or more of the offenses charged in Count Five and Count Six of this Information, including but not limited to \$100,000 in United States currency.

**Substitute Asset Provision**

19. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of MELISSA MATOS, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982; Title 21 United States Code, Section 853; Title 28, United States Code, Section 2461)

**FORFEITURE ALLEGATIONS AS TO COUNT SEVEN**

20. As a result of committing the theft of Government money offense charged in Count Seven of this Information, in violation of Title 18, United States Code, Section 641, MELISSA MATOS, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real and personal, which constitutes or is derived from proceeds traceable to the offense charged in Count Seven of this Information.

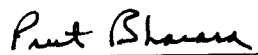
Substitute Asset Provision

21. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:
- (a) cannot be located upon the exercise of due diligence;
  - (b) has been transferred or sold to, or deposited with, a third person;
  - (c) has been placed beyond the jurisdiction of the Court;
  - (d) has been substantially diminished in value; or
  - (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C.

§ 853(p) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of MELISSA MATOS, the defendant, up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21 United States Code, Section 853; Title 28, United States Code, Section 2461)

  
PREET BHARARA  
United States Attorney

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

MELISSA MATOS,

Defendant.

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INFORMATION

10 Cr.

(18 U.S.C. §§ 371, 641, 1028A,  
1956(a)(1)(B)(i), 1956(h), 1344, 1349.)

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PREET BHARARA

United States Attorney.

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12/16/2010

Filed Waiver of Indictment and Information  
Deft present attorneys FIONA DOHERTY & CHARIS FLOOD. AUSA  
ALVIN BRAGG and court reporter KHARIS SELLIN  
Deft pleads GUILTY as charged in counts ONE, TWO, THREE,  
FOUR, FIVE, SIX and SEVEN. PSI ordered Sentence set for  
4/13/2011 @ 10 AM Bail set @ \$50,000 PRB cosigned by  
1 FRP by Monday, 12/20 Travel extended to EDNY, NDNY  
and NJ.

Duffy J.